

FINAL
BLOOMFIELD TOWN COUNCIL

There was a regular meeting of the Bloomfield Town Council held at 7:30 p.m. on Monday, March 14, 2016 in Council Chambers, Bloomfield Town Hall, 800 Bloomfield Avenue, Bloomfield, CT.

Present were: Mayor Joan Gamble, Councilors Wayne Hypolite, Deputy Mayor Sydney Schulman, Councilor Neuwirth, Patrick DeLorenzo, Joseph Merritt, Leon Rivers and Joseph Washington

Also present were: Philip K. Schenck, Jr., Town Manager, Sharron Howe, Assistant to the Town Manager, Attorney Marc Needelman and India M. Rodgers, Clerk of Council

Absent was: Councilor Derrick Seldon

PLEDGE OF ALLEGIANCE

The meeting began with the pledge of allegiance to the flag.

ANNOUCEMENTS & PRESENTATIONS

Presentation of Proclamation to Ms. Francine Austin

Mayor Joan Gamble presented a proclamation to Ms. Francine Austin for her exemplary success as an entrepreneur and owner of Francine's Salon and Day Spa. Ms. Austin has been recognized in several media outlets such as the talk show, "The Chew's", WTNH 8's InStyle Show, WDRC Brad Davis and the Hartford Business Journal.

The Employer Support Guard and Reserve Division of the State of Connecticut presented Mr. Philip K. Schenck, Jr., Town Manager with the Patriot Award. ESGR recognized Mr. Schenck, Jr. as a patriotic employer for contributing to national security and protecting liberty and freedom in supporting employee participation in the America's National Guard and Reserve. Coronel John Lawlor, Director of Public Works – Town of Bloomfield and Lt. Arthur Fredericks of the Bloomfield Police Department nominated Mr. Schenck, Jr. for this honor.

CITIZEN STATEMENTS & PETITIONS

1. **Guthrie Sayen, 27 Rundelane** thanked Mayor Gamble and other Councilors for their invitation to discuss transparency issues with residents and the Town Council.

Mr. Sayen requested that the Town Council seek endorsement of two legislative bills of the State of Connecticut drafted by Senator Beth Bye – SB422 and State Representative David Baram – SB328 focusing on state water plans and transparency in government.

He also requested that the town solicit three studies, which include an independent cost benefit analysis for tax abatement, traffic study and an environmental impact study for air and water. The town and interested residents discussed the 10 point plan for transparency in local government.

Bloomfield Citizens.org would like to inquire about LEED certified building of Niagara.

2. **Jane Nadel-Klein, 82 Tariffville Road,** requested to make changes in the letter of support for proposed bills. Mrs. Nadel-Klein read the original letter transcribed by Mayor Gamble. Suggested minor changes to include new language referencing water discounts and shifting “may” to “shall” – mandatory is not optional.
3. **Kevin Hussain, 95 Woodland Avenue,** re-emphasized the importance of the traffic and environmental studies seeking preliminary findings. He would like these studies to be expedited to determine potential side effects, if any and cost benefit analysis. He suggested advertising each study separately as its own RFP and scope, which would be a non-competitive process. It was noted that the traffic study has been completed. There was some brief discussion about inquiring assistance from the University of Connecticut regarding the cost benefit analysis study.

Mr. Philip K. Schenck, Jr, Town Manager explained the due process and timeframes of the RFP process, studies, cost, etc.

Deputy Mayor Schulman stated that studies cannot be requested on behalf of the municipality and are subject to an independent review.

Mr. Hussain also inquired about detailed information regarding the JM Newberry settlement, which has not be disclosed as public information as of yet.

4. **Mark Saunders, 13 Pent Road,** expressed that pertinent studies should have been completed prior to negotiations of a tax abatement with Niagara. He requested that Council read and revise the language in correspondence of support for the two proposed legislative bills.
5. **Bradley Klein, 82 Tariffville Road,** stated that the pace of due process was driven by Niagara. He reiterated the mission of Bloomfield Citizens.org, which has mobilized residents to address potential state and national implications of this project. Mr. Klein requested to change bill # and original language to substitute version on correspondence.
6. **Roseanne Azarien, 102 Wadhams Road,** expressed a true love for Bloomfield. She stated that perception is an important reality. The Council should have an obligation to set an example to work as collaborators not adversaries with town residents.

7. **Paula Jones, 5 Bear Ridge Drive,** inquired about the environmental impact and the use of a permitting structure in place by the State Department of Energy and Environmental Protection.

Mr. Schenck, Jr. stated that the town is reviewing all components that has already been approved. The REMI model approach for the cost benefit analysis standard is used by the State of Connecticut. Approximately \$100,000 is the cost to purchase software and the model for the requested independent and objective process.

8. **Ayse Ozkaya, 56 Filley Street,** expressed her discontentment with the entire process in negotiating with Niagara.
9. **Kevin Gough, 5 Bear Ridge Drive,** read the substitute legislative bill. He also outlined the environmental impact on plastic and diesel pollution. Mr. Gough briefly discussed major complaints of focus on the abstract ideal of economic development for the town, as well as the focus on the quality of life for residents.
10. **Robert Berman, 8 Hiram Lane,** addressed several viewpoints regarding public notifications that were available for review regarding the Niagara project, the importance of giving common courtesy to all, CEEC consideration of the appropriate amount of open space for the town, high taxes increases for residents if new business development is not in town and threatening to vote members of Council out of office.
11. **Philip Dunlap, West Hartford, CT** expressed the lack of forth sight of a natural resource, the environmental impact study and its account for future change in the environment changing climate for water evaporation.

REPORT FROM COUNCIL SUBCOMMITTEES

Administration & Education – Councilor Rivers read a brief report of this subcommittee focusing on an update from the Library Building Committee, Solar Presentation by the Bloomfield Board of Education, HRC Affirmative Action status update, Presentation by the Filley Park Fundraising Committee and the Town Manager’s Goals for FY 15/16 status report.

Committee on Committees – A special meeting of this subcommittee will be held on Wednesday, March 23, 2016 at 6:30 p.m. in Conference Room #5.

Finance – The next subcommittee meeting will be held on Monday, March 21, 2016 at 5:45 p.m. This subcommittee will conduct interviews for an independent audit consultants. On April 18, 2016 a joint subcommittee meeting will be held in conjunction with Land Use & Economic Development to discuss the tax abatement policy.

Public Safety – Councilor Washington will present a detailed report of this subcommittee at the next meeting of Council.

COUNCIL BUSINESS

ADDITIONS TO AGENDA

It was moved by Mayor Gamble, seconded by Councilor Hypolite to add item **FY 15/16-59: Discussion and Possible Action to endorse the proposed resolution for two legislative bills.**

It was moved by Deputy Mayor Schulman, seconded by Councilor Neuwirth and voted unanimously to add item **FY 15/16-55: Discussion and Possible Action Regarding Allocating \$5,000 for the Filley Pond Committee for Advertising Expenses.**

OLD BUSINESS

FY 15/16:55 - Discussion and Possible Action Regarding Allocating \$5,000 for the Filley Pond Committee for Advertising Expenses

Councilor Hypolite cautioned the Council to develop a clear and consistent policy to address potential request from other groups seeking funding for various projects. He also expressed interest in developing a matching grant for organization with community projects.

Deputy Mayor Schulman expressed the differences of committees appointed by Council for town project and other community organizations.

It was also noted that the committee should create printed documentation and other expenditures to present to possible donors in fundraising efforts for Filley Park.

Mr. Schenck, Jr. stated that the committee's goal was to raise between \$100,000 - \$1,000,000.

NEW BUSINESS

FY 15/16-57: Consider and Take Action Regarding Transfer Appropriations within the 2015/2016 Budget

This item was referred to the Finance Subcommittee meeting for further review and discussion.

FY 15/16-58: Consider and Take Possible Action Concerning Property Tax Appeals

This item was referred to Executive Session for further discussion and possible action.

FY 15/16-59: Discussion and Possible Action to endorse the proposed resolution for two legislative bills

It was moved by Deputy Mayor Schulman, seconded by Councilor Merritt to endorse the following resolution:

RESOLVED, that the Bloomfield Town Council supports recently introduced State legislation to promote greater transparency in the filing and handling of land use applications; in support of bill SB 328 as submitted origin and

RESOLVED, further that the Bloomfield Town Council supports the current and proposed further study of a State-wide water policy; recognizing that water is an important and necessary resource in support of bill SB 422.

Councilor Hypolite inquired about seeking to endorse the original or proposed raised bill. It was noted that only through process sponsors can make revision. The substitute bill has been submitted to the legislature. He remains steadfast in being open, honest and having clear prioritize to residents and water discounts were added to the modified bill as well.

Deputy Mayor Schulman inquired about the non-transparent procedures before a municipal body and how the state should create statewide water plan, prioritizing residents during the time of drought.

Councilor DeLorenzo requested clarification regarding the original version of this bill. He recommended amending the original motion to support, SB 328 “may” to “shall”, SB 422 entities exporting water out of state.

Councilor Merritt is in favor of the spirit of both bills. He also stated that this has become too legalistic about this issue.

Councilor Washington requested a brief opinion of the Town Attorney regarding Council support.

Attorney Marc Needelman stated that this issue is not a legal question. However, it is a combination of information regarding policy issues. It was noted that Council can debate the pros and cons related to legislation with state legislature. Most legislative bills are introduced as a concept, review back and forth modified with numerous changes.

The Town Council can support a policy position on the proposed bills pending before the state legislature and express a general sense of concepts allowing the flexibility in moving forward.

Councilor Neuwirth read the original resolution presented to Council.

Councilor Rivers reiterated the obligation of what Council will be supporting.

Deputy Mayor Schulman mentioned support of the specific bill number and eliminate reference to bills. He recommended an amendment of the motion to the original language.

Councilor Hypolite stated that information received initially would be the bases for any testimony to the State Legislature. He also expressed interest in reviewing the submittal bill.

It was moved by Deputy Mayor Schulman, seconded by Councilor Merritt and voted unanimously to endorse the following resolution:

RESOLVED, that the Bloomfield Town Council supports recently introduced State legislation to promote greater transparency in the filing and handling of land use applications; and

RESOLVED, further that the Bloomfield Town Council supports the current and proposed further study of a State-wide water policy; recognizing that water is an important and necessary resource.

Mayor's Report

No report at this time.

Town Manager's Report

Mr. Schenck, Jr., Town Manager reported the following updates to the Town Council:

- The FY 2016/2017 budget process underway. The Bloomfield Board of Education and the Town Manager's proposed town budget was presented on March 10, 2016.
- The Business Visitation program for the month visited the following businesses: Art & Fitness, Associated Machinery and Total Wall Systems.
- On March 9, 2016, the Bloomfield/West Hartford Health District approved and passed their budget for next fiscal year. There was small increase to municipal services, which included a hire for a part time food inspector.
- The Public Works Department began street sweeping various neighborhoods around town.

APPROVAL OF MINUTES

It was moved by Councilor Washington, seconded by Councilor Rivers to approve the minutes of January 25, 2016 with an amendment and noted corrections.

VOTE: AYE: J. Gamble, S. Schulman, J. Washington, W. Hypolite, L. Rivers, J. Neuwirth, J. Merritt, P. DeLorenzo
NAY: None

ABSTAIN: None

The motion passes.

COUNCIL COMMENTS

Councilor DeLorenzo thanked citizens for coming out to express their concerns. He also stated that the Council's intent is to honor agreements made for independent review and asked residents to be patient.

Councilor Neuwirth announced on May 1, 2016 a town wide golf tournament will be held to support fundraising efforts for Celebrate Bloomfield.

Councilor Merritt expressed his discontentment with tax incentives. He stated that residents are highly taxed in the state and municipalities. Councilor Merritt recommended a reduction in overall costs and develop ways to deliver quality services.

Deputy Mayor Schulman expressed his desire to include the specific bill number in the letter of support. He stated that it is important to express town policy and concepts to the state legislature. Deputy Mayor Schulman also wished all Christian residents a Happy Easter!

Councilor Washington stated that decisions of the Council are in the best interest of all town residents.

Councilor Hypolite commended Senator Beth Bye and State Representative David Baram on the original legislation and support to strengthen bills focusing state water plans and transparency. He also commended Mayor Gamble, Deputy Mayor Schulman and Councilor DeLorenzo for meeting with residents to begin dialogue about moving forward as collaborators for the overall community.

The Affirmative Action policies are guided by statutes to create a policy to have employment reflect the community and match the diversity of this community.

Councilor Rivers discussed transparency concerns and stated that the Council did not intend to deceive anyone. The intention was to work hard to make this process work overall to ensure open communications.

EXECUTIVE SESSION

At 10:18 p.m., it was moved by Councilor Washington, seconded by Councilor Neuwirth and voted unanimously to enter into Executive Session A. Discussion Concerning Pending Claims and Litigation with the Town Council, Town Manager, Town Attorney and Assistant to the Town Manager.

At 10:22 p.m., it was moved by Councilor Rivers, seconded by Councilor DeLorenzo to exit Executive Session A.

At 10:23 p.m., it was moved by Councilor Washington, seconded by Councilor Rivers to enter into Executive Session B. – Discussion Concerning Property Tax Appeals

At 10:35 p.m., it was moved by Councilor Rivers, seconded by Councilor DeLorenzo and voted unanimously to exit Executive Session B and enter into regular session.

It was moved by Councilor Neuwirth, seconded by Councilor Washington and voted unanimously to authorize the Town Attorney to enter into settlement negotiations of property tax appeal (1051 Blue, LLC v. TOB).

ADJOURNMENT

At 10:38 p.m., it was moved by Councilor Merritt, seconded by Councilor DeLorenzo and voted unanimously to adjourn the meeting.

